

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Brig Barnum Elliott) Group Art Unit: Unassigned
Application No.: Unassigned) Examiner: Unassigned
Filed: February 26, 2004)
Title: MEDIUM ACCESS CONTROL)
FOR RETRO-REFLECTORS)
)

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant(s) bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action in the above-referenced application. As such, no certification or fee is required. Copies of the listed documents are attached.

Applicant(s) respectfully request(s) that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
Application Serial No. Unassigned
Attorney's Docket No. 03-4047
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If any copending application(s) is/are cited on the attached PTO 1449, the Examiner's attention is directed to the foregoing application(s) in compliance with § 2001.06(b) of the Manual of Patent Examining Procedure. By identifying the copending application(s), the assignee and/or applicant of the application(s) do not waive confidentiality of the application(s). Accordingly, the U.S. Patent and Trademark Office is requested to maintain the confidentiality of the copending application(s) under 35 U.S.C. § 122.

This submission does not represent that a search has been made and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, Applicant(s) reserve(s) the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 07-2339.

Respectfully submitted,

By: 
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CUSTOMER NO. 32127

Date: February 26, 2004

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| INFORMATION DISCLOSURE CITATION PTO-1449 | CUSTOMER NUMBER 32127 | ATTORNEY'S DKT NO. 03-4047 | APPLICATION NO. Unassigned |
| | | APPLICANT(S) Brig Barnum Elliott | |
| | | FILING DATE February 26, 2004 | GROUP Unassigned |
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U.S. PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|---------------------|------------|------------|------------------|-------|----------|-------------|
| | 6,154,299 | 11/28/2000 | Gilbreath et al. | 359 | 170 | |
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FOREIGN PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
|---------------------|------------|------|---------|-------|----------|-------------|----|
| | | | | | | Yes | No |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | W. S. Rabinovich et al.; "InGaAs Multiple Quantum Well Modulating Retro-reflector for Free Space Optical Communications"; Proceedings of the SPIE, 4485; 2001; 13 pages. |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).